
By: **Delegate McIntosh**

Introduced and read first time: February 18, 2003

Assigned to: Rules and Executive Nominations

Re-referred to: Environmental Matters, February 27, 2003

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 21, 2003

CHAPTER _____

1 AN ACT concerning

2 **Baltimore City - Foreclosure Sales of Interests in Land - Recordation of**
3 **Ratification**

4 FOR the purpose of requiring a person that makes a certain foreclosure sale of an
5 interest in land in Baltimore City that is ratified to cause to be recorded in the
6 land records a copy of ~~certain orders concerning the~~ the final order of
7 ratification, including certain information, under certain circumstances; and
8 generally relating to the recordation of final orders of ratification ~~orders~~ of
9 foreclosure sales of interests in land in Baltimore City.

10 BY repealing and reenacting, with amendments,
11 Article - Real Property
12 Section 14-103
13 Annotated Code of Maryland
14 (1996 Replacement Volume and 2002 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Real Property**

18 14-103.

19 (a) If a legal or equitable interest in land is sold under an execution sale,
20 judicial sale, or foreclosure sale except a sale under Title 14, Chapter 200 of the
21 Maryland Rules, and a deed is executed and delivered to the purchaser by the sheriff,
22 trustee, agent, or other officer making the sale, the grantee in the deed, when

1 recorded, is entitled to the same protection against the legal or equitable interests of
2 persons not of record as is provided in this article for the benefit of grantees in deeds
3 voluntarily executed, delivered, and recorded.

4 (b) If there is a decree for the sale of any reversion in lands to which rent is
5 incident, the court may order any rent in arrears to be sold with the estate and the
6 purchaser may recover the rent by distress, entry, or action, as if he was owner of the
7 estate when the rent accrued.

8 (c) If a sale is made on credit, the court, on application of the mortgagee or
9 creditor, may direct any bond taken in consequence of the sale to be assigned to the
10 mortgagee or creditor and the assignee may sue on the bond in his own name.

11 (d) The court may decree a sale of an equitable title in any case where a decree
12 for the sale of the legal title could be passed. The purchaser of the equitable title has
13 the same remedy for obtaining the legal title as the person whose equitable interest
14 he purchased would have had if no sale had been made.

15 (e) If property is sold pursuant to a judicial decree, all costs of the proceedings
16 accruing up to and including the final ratification of the sale shall be paid prior to the
17 final ratification of the first auditor's account after the sale. The costs shall include
18 the fees for recording all papers which are proper to be recorded by law. After
19 payment of the costs, the clerk of the court shall record all the proper required papers.

20 (F) (1) IN BALTIMORE CITY, IF A FORECLOSURE SALE UNDER A MORTGAGE
21 OR A DEED OF TRUST OF AN INTEREST IN LAND IS RATIFIED, THE PERSON MAKING
22 THE SALE SHALL CAUSE TO BE RECORDED IN THE LAND RECORDS A COPY OF THE
23 FOLLOWING ORDERS WITHIN 30 DAYS OF THE ISSUANCE OF THE ORDER:

24 ~~(1) A FINAL ORDER OF RATIFICATION AND A COPY OF THE REPORT OF~~
25 ~~SALE; AND~~

26 ~~(2) AN ORDER AUTHORIZING A SUBSTITUTE PURCHASER WITHIN 90~~
27 ~~DAYS OF THE DATE OF THE FINAL ORDER OF RATIFICATION IF:~~

28 (I) THE VENDOR AND THE PURCHASER ARE THE SAME; AND

29 (II) A DEED IS NOT RECORDED.

30 (2) THE COPY OF THE FINAL ORDER OF RATIFICATION SHALL INCLUDE
31 THE NAME AND ADDRESS OF THE PURCHASER.

32 (3) THIS SUBSECTION DOES NOT APPLY TO A FORECLOSURE THAT IS
33 SUBJECT TO A STAY ISSUED BY A COURT IN A BANKRUPTCY PROCEEDING.

34 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
35 October 1, 2003.

